

OKLAHOMA ABSTRACTORS BOARD
MINUTES OF REGULAR MEETING
June 15, 2021

1. A regular meeting of the Oklahoma Abstractors Board (OAB) was called to order by Chairperson Christina Wooten at 10:00 a.m., at the OLERS Conference Room, 421 NW 13th Street, Suite 100, Oklahoma City, Oklahoma.
2. Scott Ward called the roll. Attending were: Christina Wooten, J. Thomas, Jeff Mapes, John Bailey, Mark Luttrull, Randy Coffman, Robert Getchell, and Scott Ward. Absent: Ken McDowell.
3. The Minutes of the Regular Meeting of the OAB, conducted on May 18, 2021, were reviewed. A motion was made by Mr. Luttrull to approve the minutes as presented. The motion was seconded by Mr. Thomas. Motion carried.
Yeas: Christina Wooten, Jeff Mapes, John Bailey, Mark Luttrull, Randy Coffman, Robert Getchell, and Scott Ward. Nos: None.
4. **Chairperson's Report-Christina Wooten:** Ms. Wooten reported that for the OLTA annual convention she had submitted a video to be played for the audience since the meeting coincided with our board meeting. With this being her last meeting, she also thanked the board for their support during her tenure on the board.
5. **Administrator's Report (Board Report):** Ms. Smith carried on the theme of appreciation and expressed her gratitude toward the outgoing board members and handed out plaques to each transitioning board member in honor of their service.
6. **Committee Reports.**
 - a.) **Budget and Finance – J Thomas:** Mr. Thomas gave an update on the budget and presented the "Six Digit Expenditure Detail" Report showing monthly expenses of \$17,773.94. The next report is the "Outstanding Encumbrances". This is a list of expenses that we may or may not use; that amount is \$31,153.65. If we go to our "Operating Comparison" our total budget for this year is \$285,226.00.00 and our total expenses and encumbrances are \$232,194.31 for an annual variance of \$53,031.97. The next report is the "Summary of Receipts and Disbursements" showing revenue of YTD of \$281,525.44 and YTD expenditures are \$216,521.49 for a YTD overage of \$67,377.89. This leaves us with an ending cash balance of \$824,845.31. After review and discussion, a motion was made by Mr. Thomas to approve the report as presented. Second by Mr. Bailey. Motion carried.
Yeas: Christina Wooten, J. Thomas, Jeff Mapes, John Bailey, Mark Luttrull, Randy Coffman, Robert Getchell, and Scott Ward. Nos: None.

b.) **Rules and Regulations – Mark Luttrull:** Mr. Luttrull gave no report.

Ms. Smith reported that all rules submitted with a few exceptions were approved by omnibus approval and that the next steps were for the adopted rules to be published again and that she had already submitted that final paperwork to the Administrative Rules office. The changes will take effect November 1st.

c.) **Licensing and Testing-Katherine Smith:** Ms. Smith reported that since the last meeting, 50 people had taken the test and 41 had passed. The next test will be on July 15th at the testing center.

d.) **Inspections-Katherine Smith:** Ms. Smith reported that there had been eight inspections since the last board meeting. Four of the eight had no issues. Three companies had indexing errors, one of those companies having had issues receiving complete information from the Court Clerk's office. One company had some issues with delayed orders. The recommendations from the Enforcement Committee are noted in the packet. Ms. Smith asked for a motion to approve the inspection reports as presented and acceptance of the recommendations from the Enforcement Committee. A motion was made by Mr. Luttrull to approve the inspection reports as presented and accept the recommendations of the Enforcement Committee. Second by Mr. Getchell. Motion carried.

Yeas: Christina Wooten, J. Thomas, Jeff Mapes, John Bailey, Mark Luttrull, Randy Coffman, Robert Getchell, and Scott Ward. Nos: None.

e.) **Enforcement Committee Reports-Robert Getchell:**

Applications for Licenses: Presented to the Board for approval was a list of applicants for abstract licenses or renewals, which are set out in the attachments hereto. A motion was made by Mr. Getchell to approve all of the licenses presented, subject to administrative review and to make sure all compliance issues were met and appropriate fees paid. Second by Mr. Mapes. Motion passed.

Yeas: Christina Wooten, J. Thomas, Jeff Mapes, John Bailey, Mark Luttrull, Randy Coffman, Robert Getchell, and Scott Ward. Nos: None.

Renewal of Certificate of Authority (No Fee Changes): Presented to the Board for approval were applications for renewal of Certificate of Authority without any changes to the fees on their rate sheets by Great Plains Investments, LLC dba Bailey's Abstract & Title (Greer), Green Country Title and Closing (Adair), and SCA Title dba LeFlore County Abstract and Title (LeFlore). A motion was made by Mr. Getchell to approve the applications. Second by Mr. Coffman. Motion passed.

Yeas: Christina Wooten, J. Thomas, Jeff Mapes, John Bailey, Mark Luttrull, Randy Coffman, Robert Getchell, and Scott Ward. Nos: None.

Abstention: Mr. Bailey abstained from voting on those items pertaining to his business interests.

Renewal of Certificate of Authority (With Fee Changes): Presented to the Board for approval were applications for renewal of Certificate of Authority with changes to the fees on their rate sheets by Guaranty Abstract Company (Jefferson), and PHS Title, LLC dba Smith Brothers Abstract & Title Co. LLC (Seminole). A motion was made by Mr. Getchell to approve the applications. Second by Mr. Mapes. Motion passed.

Yeas: Christina Wooten, J. Thomas, Jeff Mapes, John Bailey, Mark Luttrull, Randy Coffman, Robert Getchell, and Scott Ward. Nos: None.

Rate Change Only: Presented to the Board for approval were rate sheets with changes submitted under special filing for Valley Abstract Co., Inc. (Garvin). A motion was made by Mr. Getchell to approve the revised rate sheet. Second by Mr. Coffman. Motion passed.

Yeas: Christina Wooten, J. Thomas, Jeff Mapes, John Bailey, Mark Luttrull, Randy Coffman, Robert Getchell, and Scott Ward. Nos: None.

Transfer of Ownership: Presented to the Board for approval was an application for the Transfer of ownership of Beaver County Abstract, Cherokee Capitol Abstract & Title (Cherokee), and Tahlequah Abstract & Title (Cherokee) all to Smith Brothers Abstract & Title. Ms. Smith added that only one bond was received for the companies in Cherokee County and the approval should be pending receipt of bonds for all companies. A motion was made by Mr. Getchell to approve the Transfer of Ownership pending receipt of the appropriate bonds. Second by Mr. Bailey. Motion passed.

Yeas: Christina Wooten, J. Thomas, Jeff Mapes, John Bailey, Mark Luttrull, Randy Coffman, Robert Getchell, and Scott Ward. Nos: Mr. Luttrull voted no on the rate sheets because he felt their rates for Final Title Reports was too high.

New Permit to Build an Abstract Plant: Presented to the Board for approval was an application for a New Permit to Build an Abstract Plant by Oklahoma Digital Abstract, LLC dba American Eagle Abstract Garfield County. Ms. Smith reported that no comments were received during the comment period and the floor was opened for comments. There were none. A motion was made by Mr. Getchell to approve the application. Second by Mr. Bailey. Motion passed.

Yeas: J. Thomas, Jeff Mapes, John Bailey, Mark Luttrull, Randy Coffman, Robert Getchell, and Scott Ward.

Abstention: Ms. Wooten abstained from voting as the application pertained to her employer's business interests.

7. **Election of Officers:** Ms. Wooten opened the floor for discussion.

A motion was made by Mr. Bailey to nominate Randy Coffman for Chairman. Second by Mr. Getchell. Motion Passed.

Yeas: Christina Wooten, J. Thomas, Jeff Mapes, John Bailey, Mark Luttrull, Robert Getchell, and Scott Ward. Nos: None. Abstention: Mr. Coffman

A motion was made by Mr. Luttrull to nominate Scott Ward for Vice-Chairman. Second by Mr. Getchell. Motion Passed.

Yeas: Christina Wooten, J. Thomas, Jeff Mapes, John Bailey, Mark Luttrull, Randy Coffman, and Robert Getchell. Nos: None. Abstention: Mr. Ward.

A motion was made by Mr. Bailey to nominate J. Thomas for Secretary. Second by Mr. Ward. Motion Passed.

Yeas: Christina Wooten, Jeff Mapes, John Bailey, Mark Luttrull, Randy Coffman, Robert Getchell, and Scott Ward. Nos: None. Abstention: Mr. Thomas.

8. **New Business:** Ms. Wooten asked for new business. Mr. Ward reported that he was getting feedback from realtors, particularly in rural counties that abstract times are becoming increasingly delayed causing buyers to lose their rates. He wasn't sure why there were no complaints being submitted but he felt that perhaps the Board should send something out reminding companies of the required completion guidelines.

Ms. Smith responded that all companies are swamped right now, as are the realtors which is not an excuse but to send something out would likely be ineffective. Companies know the regulations. If specific information could be submitted to the Board, there could be more effective involvement from the Board.

Mr. Ward suggested that complaints and fines might not be an effective solution, but he was unsure as to what might be implemented to help companies get caught up.

Ms. Smith responded that when it comes to her attention, she is able to call for help for companies, but it is more effective when related for a specific company rather than blanket aid.

Mr. Getchell suggested that aiding companies to implement technology could help them to overcome some of their challenges. It might be something to collaborate on with the OLTA.

Ms. Smith stated that she had discussed the issue of technology with Mitzi Combs, the current President of OLTA. Mitzi said she had been talking with people about technology since she had been with OLTA. Ms. Smith reported that for her entire tenure on the Board she has been continually pushing the idea of technology and how it would help companies abstract more quickly. She also tells companies that there are larger companies in the state that have an intent to have a plant in every county and if they come in with their digital plant against a company that has no technology implemented, the manual plant will find it difficult to compete.

Mr. Luttrull said that he would love to see some type of formalized documentable process, for instance with wind farms, that would allow them to contact the OAB with what's going on and allow the company to ask for help ahead of time to mitigate the impact rather than waiting until they're so far behind they can't keep up. He also clarified that the Board used to require that a formal complaint had to be filed before the inspector could get involved, but that the board had relaxed that requirement to where if the office is getting calls, even without specific order information, they can get involved. He also pointed out that because of the pandemic and corporate changes, there would likely be unexpected employee issues now that things are opening up.

Mr. Mapes said that finding employees is extremely difficult, particularly in rural areas.

9. **Report Legal Counsel-Marie Schuble:** Ms. Schuble reported that she worked with the Enforcement Committee.
10. **Visitor's Comments:** Ms. Wooten asked for any visitor comments. There were none.
11. **Announcement of next meeting:** Tuesday, July 20, 2021, at 10:00 a.m., 421 NW 13th Street, Suite 100 (OLERS) Conference Room, Oklahoma City, Oklahoma.
12. **Employee Actions:** Upon exiting Executive Session where actions regarding employee salaries was discussed, a motion was made by Mr. Bailey to approve a three percent (3%) salary increase for Ayla Linville, Executive Assistant for the Abstractors Board. Second by Mr. Thomas. Motion passed.
Yeas: Christina Wooten, J. Thomas, Jeff Mapes, John Bailey, Mark Luttrull, Randy Coffman, Robert Getchell, and Scott Ward. Nos: None.

Additionally, a motion was made by Mr. Bailey to approve a three percent (3%) salary increase for Katherine Smith, State Administrator of Abstracting for the Abstractors Board. Second by Mr. Thomas. Motion passed.
Yeas: Christina Wooten, J. Thomas, Jeff Mapes, John Bailey, Mark Luttrull, Randy Coffman, Robert Getchell, and Scott Ward. Nos: None.
13. **Adjournment:** Ms. Wooten asked for a motion to adjourn the meeting. Motion was made by Mr. Luttrull. Second by Mr. Bailey. Motion passed.
Yeas: Christina Wooten, J. Thomas, Jeff Mapes, John Bailey, Mark Luttrull, Randy Coffman, Robert Getchell, and Scott Ward. Nos: None.